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The Firm that Fights for Workers' Rights!

January 19, 2024

Via Email

Hon. John P. Cronan
United States Magistrate Judge
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Re: Orbetta et. al v. Dairilyland USA Corporation, et al.
Index No. 20-cv-9000(JPC)
Request for an adjournment of the discovery schedule and deadline to oppose
Plaintiff's motion for collective action certification pursuant to 29 U.S.C. §
216(b).

Dear Judge Cronan,

We jointly write to request an adjournment of the discovery deadlines in the above referenced matter. Although the parties have been diligently and cooperatively working on completing written discovery, the volume of discovery has been significant because Plaintiffs have been trying to secure documents and interrogatory responses from approximately 50 separate named and opt-in Plaintiffs. Although Plaintiffs expect that they will be able to produce documents and respond to the interrogatories shortly, additional time is required to complete the production. Once production is complete the parties expect that they will commence with depositions. Defendants have noticed 5 depositions, which the parties are coordinating and planning to schedule the exchange of written discovery response. And Plaintiffs do not anticipate taking more than two to three depositions. Presently, the first phase of discovery is scheduled to conclude on March 1, 2024. The parties respectfully request that the deadline to conclude this phase of discovery be adjourned to June 1, 2024. This is the parties' first request for an extension of the deadline to this phase of discovery.

Finally, in light of the request for adjournment of the discovery deadlines, the parties respectfully request an adjournment of Defendants' deadline to oppose Plaintiff's motion for conditional collective action certification pursuant to 29 U.S.C. § 216(b). The current deadline for the opposition is January 26, 2024. The Parties request that this deadline be extended to February 16, 2024. This is the first request for an extension of this deadline.

We are available to answer any questions the Court may have.

Respectfully,

Dated: January 19, 2024

JORDAN EL-HAG

/s/ Jordan El-Hag

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The request is granted. The deadline to complete all fact discovery is adjourned to June 1, 2024. The deadline for Defendants' opposition to Plaintiffs' motion for conditional collective action certification, Dkt. 157, is adjourned to February 16, 2024, and the deadline for Plaintiffs' reply, if any, is adjourned to March 11, 2024.

SO ORDERED.
Date: January 22, 2024
New York, New York



JOHN P. CRONAN
United States District Judge